

FINAL



WEARE BOARD OF SELECTMEN
MEETING MINUTES
December 21, 2009

PRESENT: TOM CLOW, CHAIRMAN; RICHARD W. BUTT, VICE CHAIRMAN; DONNA OSBORNE, SELECTMAN; JAMES DONISON, SELECTMAN; KEITH R. LACASSE, SELECTMAN

TOWN ADMINISTRATOR: Naomi Bolton

RECORDING SECRETARY: Cherry Palmisano

GUESTS: Chief Begin, Neal Kurk, Ike Shepard, Jan Snyder

7:00 p.m. Chairman Clow called the meeting to order.

MANIFESTS

Chairman Clow moved, Vice Chairman Butt seconded, to authorize the Board of Selectmen to sign Manifest and order the Deputy Treasurer to sign checks dated December 24, 2009. Passed 4-0-1 Selectman Lacasse abstained.

Accounts payable	\$535,081.42	(\$500,000 plus interest is a re-payment of a TAN)
Gross Payrolls	\$54,365.60	(Includes Special Detail, Taxes, Credit Union)
	<u>\$ 809.69</u>	(Forest Fire/Permits)
Total	\$590,256.71	

Chairman Clow moved, Selectman Lacasse seconded to enter into non public session @ 7:05 p.m. pursuant to the authority granted in RSA 91-A:3II (i). A roll call vote was taken, Vice Chairman Butt – yes; Selectman Osborne – yes; Selectman Donison – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Selectman Butt seconded to come out of non public session @ 7:33 p.m. A roll call vote was taken, Vice Chairman Butt – yes; Selectman Osborne – yes; Selectman Donison – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Selectman Butt seconded to enter into non public session @ 7:34 p.m. pursuant to the authority granted in RSA 91-A:3II (a&c). A roll call vote was taken, Vice Chairman Butt – yes; Selectman Osborne – yes; Selectman Donison – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Selectman Lacasse seconded to come out of non public session @ 7:44 p.m. A roll call vote was taken, Vice Chairman Butt – yes; Selectman Osborne – yes; Selectman Donison – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Selectman Donison seconded to seal and restrict the minutes of the nonpublic session. Passed 5-0-0.

Vice Chairman Butt moved, Selectman Lacasse seconded to authorize Chief Begin to enter into a contract with the Town of Bow for police dispatch services. Passed 4-0-1 Selectman Osborne abstained.

HIGHWAY GARAGE DISCUSSION – Selectman Lacasse said he would rather not put the request for the new Highway Garage on the ballot and would prefer to wait until the bond for the Safety Complex was over. The last payment of \$61,275 for the Safety Complex bond will be due January 2013. Vice Chairman Butt said

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at the last meeting it was decided to purchase the ambulance out of the Capital Reserve Fund. Vice Chairman Butt said the bridge bond will be up in 2015. It was discussed that the tax rate of the bond is based on the length of the bond. Selectman Donison said he has been thinking of the DPW garage and how badly it needs replacement. He knows it is a bad year, but feels they should put it on the ballot to inform the taxpayers of the dire need. Vice Chairman Butt mentioned the fire engine not being on the warrant this year and said the Fire Department is going to provide information as to why not. Selectman Donison said the Building Committee discussed this and they have agreed not to put any money into the current building.

Chairman Clow said he thinks they should be proposing the building in 2012 for the 2013 warrant. He said if the economy picks up and they feel it is feasible to put it on the warrant they could do so. Selectman Lacasse said the Building Committee means just keeping status quo on the building and not investing a lot of money in improvements. Chairman Clow said there have been significant improvements done to the electrical. Vice Chairman Butt said they need to find people who are dedicated to the need of the building. Selectman Donison mentioned that some committee to be formed to support the need. Chairman Clow said the Building Committee needs to consider the patching of the roof and to end any leakage problems while awaiting a new facility. Selectman Donison said they will revisit the building needs at their next meeting, to help extend the building life for another 2-3 years. The consensus of the Board is to not put this request on the 2010 warrant.

CONTINUATION OF 2010 BUDGET DISCUSSION – Mrs. Bolton said they have the revenue collected \$2,223,000 is revenues thus far and are expecting \$402,089 for state and federal rooms and meals tax bringing the revised revenues to a total of \$2,602,000. The revised line reflects numbers used in November to set the tax rate. Vice Chairman Butt asked if they revised the projected revenues. Chairman Clow said they do when they have a definite number. Chairman Clow said the numbers they have for revenue are for 2009 so they project/guess what they will receive for 2010. Mrs. Bolton said they have not received the \$402,809 as of yet. They are off by \$21,000, which is a very close projection. Chairman Clow said they delayed setting the tax rate until well into November, because they were waiting for the flood control revenue. Vice Chairman Butt said at the time they did not know the flood control was going to be cut that much. Chairman Clow said the revenues went down from what they were in 2008, with a large portion of the reduction coming from motor vehicles. The town is hoping to receive the rooms and meals tax reimbursement before the end of the year.

Vice Chairman Butt asked about interest and penalties on delinquent taxes. He said that according to the town report the actual revenues for 2008 were \$92,054 and this year they are estimating revenues at \$85,000. Mrs. Bolton said with the increase in foreclosures, the banks have brought all the taxes up to date. There is no projection made yet for 2010. Chairman Clow said the tax bills went out and there could be a lot of activity since the bills went out. Vice Chairman Butt is concerned with going from \$85,000 to \$153,000 in revenues. Mrs. Bolton said Mrs. T. Connor is waiting for two departments before making the projections for the 2010 revenues. Vice Chairman Butt said when they set the tax rate they based revenues on \$85,000 and within three months it has almost doubled. Vice Chairman Butt said this means they overtaxed and he wants to know why this wasn't noticed. Mrs. Bolton said if a property slipped into foreclosure, the bank could have paid the unpaid taxes for all years owed. Vice Chairman Butt wants to verify that this is cash in hand. It was discussed that anything listed as revenue has already come in, as opposed to fund balance which can be money owed to the town.

Vice Chairman Butt said they have expended \$40,000 for the School Resource Officer and asked why they have only been reimbursed \$20,854. Chairman Clow thinks it could be reimbursed in payments. Mrs. Bolton thinks they will be receiving another reimbursement before the end of the year. They used the \$40,000 figure when they set the tax rate. Mrs. Bolton said by next Monday, Mrs. T. Connor should be able to give them actual reimbursement figures for 2009. After the close of the year they have 10 days for reimbursements to come in.

Vice Chairman Butt said the revenue from aluminum can recycling is up and plastic is down. The scrap iron revenue is down as well. From 2008 to 2009 there is a drop in recycling revenue.

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Selectman Donison questioned the Special Revenue Detail Fund and said there is currently \$33,000 in the fund. Chairman Clow said there shouldn't be anything in the fund because they just clarified with DRA that all revenue goes into the Revolving Fund.

Vice Chairman Butt mentioned that they used \$2,691,844 as a number for anticipated revenue last year when they set the anticipated tax rate on the warrant. Vice Chairman Butt expects the revenue projection to be less than that this year.

Mrs. Bolton said the total for purchase orders is \$43,972.26 and this shows there is 5.86% left of the operating budget, with two more weeks of payroll. There are items that Chief Begin put in for purchase. Chairman Clow asked if the Chief included the cost to repair the radar trailer. Mrs. Bolton said no. There is a total of \$17,000 in purchase orders from the Fire Department; these expenses have been invoiced but not paid for yet. Vice Chairman Butt asked what has to be encumbered. Chairman Clow said there has to be a purchase order issued or invoice before December 31, 2009.

Mrs. Bolton commented that this is the first time the BOS is seeing the default. Mrs. Bolton reviewed health insurance options with the Board. She said there are plans available that would save the town money, but have higher copayments and deductibles for the twenty nine employees that are covered through the town. There are 4-5 employees that buyout at 50% of the plan. Mrs. Bolton said they won't know about the health insurance until July 31, 2010. Chairman Clow said the collective bargaining agreements might not allow any change in the insurance. Selectman Lacasse said they could still change and then make up the difference in the deductible cost to the employees; this would still save the town money.

Chairman Clow said they are at the very early stage of going through a collective bargaining negotiation with the Police Department because it did not pass last year.

Police line 590 – \$5,000 is being proposed. Selectman Lacasse said he is looking for confirmation of that number. Mrs. Bolton said they have not received confirmation on this line. Chairman Clow said when they discussed this it was not a contract expense. Selectman Lacasse said it went from \$1,100 to \$5,000 in a year. It was discussed that there is a common boiler that runs the whole Safety Complex. The Police Department pays for electricity and the Fire Department pays for the heat. Mrs. Bolton will have Mrs. T. Connor run a detailed explanation.

Line 345 – This dispatch figure will change to \$33,100 in the proposed as well as the default

It was discussed some of these lines will change substantially, because department heads had to wait to see if the money would be available before making the purchase. Chairman Clow said if the line isn't spent, it does not mean the need was not there, it could just mean that department heads were told to hold the line.

Vice Chairman Butt mentioned the alcohol and drug testing for CDL license holders and Hepatitis shots. He feels this should go in both the proposed and default budgets. This needs to be done in the Highway Department budget and Fire Department budget. Mr. Kurk asked if there is a federal requirement for random CDL drug and alcohol testing and if the Hepatitis shots are a requirement/law. Vice Chairman Butt said if it is something that protects their employees it should be in the default budget.

Line 747 – Selectman Osborne said this line is for the paint striper. She would like this line removed and wants to take the supply cost for this item out of another line. She feels this was not voted on by the public or the Board. Selectman Osborne feels they should remove this line and let the department figure out where the funds to purchase these supplies will come from. Selectman Lacasse said Mr. Knapp thought he would be saving money in the long run by making this purchase. Selectman Osborne said there is a purchase policy that needs to be followed. The Board decided to leave this line in.

Selectman Donison said in reviewing the budget there are lines that the default number is higher than the proposed line.

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Chairman Clow commented on the part time officer's wages line being used to cover the overtime costs to keep the bottom line for the police department within reason for the default. Selectman Lacasse said last year when they set the default he thought Chief Begin was going to hire more part time officers.

The Board would like more time to study the budget.

Vice Chairman Butt said he will be looking at the level of service, specifically maintenance. He said they did not go through maintenance costs in the default budget to make sure supplies were based on current prices. Selectman Lacasse said his take on the default is going to be based on strict opinion of what the default number should be. He said if it is not a contractual obligation, then the line should not go up. Vice Chairman Butt said they have legal opinion on interpreting it two different ways.

Chairman Clow said last year the Board received opinion regarding fuel and energy costs in the default. Vice Chairman Butt said it could inflate the default line and said if the default line is greater than what you spent, justify the line. Chairman Clow said they were telling department heads not to spend. Vice Chairman Butt said those lines reflect the reality of the costs. Selectman Lacasse said default insinuates that this is what you get, this is the line of service you are getting and this is the level of service they will continue to provide. Vice Chairman Butt said they have some costs that reflect prices that are 4-5 years old. Vice Chairman Butt said they also haven't cut any services. Selectman Lacasse said the default is a mathematical equation, the amount of government we can get for that amount, if the default results in cuts, then OK. Vice Chairman Butt said he has never expected a cut in services and has never told taxpayers to expect a cut in services. Vice Chairman Butt said they even talked about dropping a shift to stay on budget. He said after so many years of default budgets, are they getting further and further away from the costs. Vice Chairman Butt said they need to tell taxpayers that if they don't vote for the proposed, then this is what could be cut.

Chairman Clow said they did know that overtime was going to be high. He said there was a discussion that Chief Begin wanted to move money into the overtime line and the Board resisted because they wanted to give a clearer picture of a default budget.

Selectman Donison said the proposed budget, as it stands now, is actually \$60,000 less than the 2009 default budget without cutting services.

Vice Chairman Butt said they need to bring all the numbers together (proposed, default and revenues) before determining the total tax impact. Vice Chairman Butt said even last year with articles not passing and the default being the same, they had an increase because they had less revenue. If the revenues were good they would have had money left over and been able to put money in the fund balance.

Vice Chairman Butt said there will be three articles on the warrant that will affect the operating budget. He said if the Police and Highway collective bargaining both pass that is an operating expense. The Safer Grant would increase the operating budget in the third year.

The Board will sign the Manifest at 8:00 a.m. on Monday, December 28, 2009.

Petitioned articles need to be submitted by January 12, 2010.

The Board mentioned that they also still need to review a draft of any articles.

THE TOWN REPORT AND MAILER – Mrs. Bolton told the Board that she had reviewed and compared bids for the Town Report and Mailer from the following companies:

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|---|------------------------------------|
| • Brayshaw | • Renshaw \$4,184 |
| • Brothers Bindery and Printing \$3,306 | • Penmore Lithographics \$5,668 |
| • Proformer Printing Solutions \$3,575 | • Select Printing Solution \$6,305 |

Mrs. Bolton said she recommends going with Brothers Bindery and Printing from Hudson, NH for \$3,306. The number of copies is based on the same number of copies as last year. Last year's cost to print the Town Report and Mailer was \$4,000.

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The Board discussed recognizing an outstanding employee or someone who is retiring because signally out a volunteer is very difficult.

Vice Chairman Butt said they may be including the minutes of the Deliberative Session in the Town Report.

The Board discussed that a summary of the audit would be appropriate to include.

Selectman Donison moved, Selectman Lacasse seconded to obtain the services of Brothers Bindery and Printing of Hudson, NH for the Annual Town Report and Town Mailer based on their bid. Passed 5-0-0

CORRESPONDENCE

Chairman Clow said the Board received correspondence concerning extensive damage done to the Center Square Cemetery on East Road, which was caused by the snow plow hitting the fence. Chairman Clow said there was significant damage caused, both historically and financially. The Board acknowledges the damage and the Town Administrator is doing an investigation into what happened. Chairman Clow said there is no question as to who caused the damage, but the circumstances need to be discussed in a non public session. There will be a financial obligation from the town, but some of the granite cannot be replaced and the historic value cannot be replaced.

OTHER BUSINESS

Mrs. Bolton informed the Board they received a bill for NRAA dues, which is calculated on population, the total bill for the upcoming year is \$447.60.

The Deliberative Session will be held on Saturday, January 30th at 9:00 a.m.

The public hearing for the 2010 budget will be held on Monday, January 18, 2010.

Town voting day is March 9, 2010.

The Selectmen will hold a Selectmen's Coffee hour on Saturday, March 6, 2010 at 10:00 a.m.

Chairman Clow moved, Selectman Lacasse seconded to enter into non public session @ 10:22 p.m. pursuant to the authority granted in RSA 91-A:3II (a&c). A roll call vote was taken, Vice Chairman Butt – yes; Selectman Osborne – yes; Selectman Donison – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Selectman Lacasse moved, Selectman Osborne seconded to come out of non public session @ 10:40 p.m. A roll call vote was taken, Vice Chairman Butt – yes; Selectman Osborne – yes; Selectman Donison – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Selectman Lacasse moved, Chairman Clow seconded to seal and restrict the minutes of the nonpublic session. Passed 5-0-0

Selectman Osborne left meeting and remaining members discussed collective bargaining – DPW-pursuant to RSA 91-A:2, I (b).

Chairman Clow moved, Selectman Donison seconded to adjourn meeting @11:10pm. Passed 4-0-0

ADJOURNMENT

A True Record.

Cherry Palmisano, Recording Secretary